

**GOVERNMENT OF ANDHRA PRADESH
ABSTRACT**

M.A. & U.D Department – Levy of Shelter Fee for Redevelopment /Improvement / Rehabilitation of slums under Rajiv Awas Yojana (RAY) programme and for undertaking civic amenities in slums and weaker section colonies - Provision of EWS/LIG Housing units in all housing projects (both public and private Agencies) – Amendments to Rule-11 of the Andhra Pradesh Building Rules, 2012 and other orders –Issued.

MUNICIPAL ADMINISTRATION & URBAN DEVELOPMENT (M1) DEPARTMENT

G.O.Ms.No. 245

**Dated:30.06.2012.
Read the following:**

1. G.O.Ms.No.526 M.A &U.D (I) Department dt: 31-07-2008
2. G.O.Ms.No.527 M.A &U.D (I) Department dt: 31-07-2008
3. G.O.Ms.No.577, MA&UD (UBS)Dept., dt:17-9-2009.
4. G.O.Ms.No.45, MA & UD Dept., dt: 28.01.2011.
5. G.O.Rt.No.841,MA & UD Dept., Dated:06.07.2011
6. From the DT&CP, Lr.No.5613/2011/P, dated:11-8-2011.
7. Govt Memo. No. 6430/M1/2010 Dated: 16-09-2011.
8. From the Director of Town & Country Planning, A.P. Hyderabad, Lr.No.5613/2011/P, dated:03.12.2011
9. Lr. No. 9/TPS/HO/GHM C/2012, dt: 06.02.2012 of Commissioner, GHMC
10. G.OMs.No.168 M.A & U.D (M) Department, dt: 07-04-2012

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ORDER:

Developing affordable Housing for the ordinary citizens and urban poor and earmarking developed land/built up area is one of the important reform agenda items under JNNURM. Government of India have issued guidelines for Implementation of Rajiv Awas Yojana (RAY) programme. Government have formulated the State Policy on Slum Free Andhra Pradesh by 2014 vide reference 3rd read above under Rajiv Awas Yojana (RAY). Under Rajiv Awas Yojana, the objectionable slums are to be rehabilitated and in unobjectionable slums in-situ improvement or redevelopment schemes have to be taken up. Under the said scheme, the State Government and Urban Local body have to provide 50% contribution as their share for infrastructure component. In order to meet the above objective, and keeping in view the present financial status of Urban local bodies, they have to mobilize additional financial resources which are required for redevelopment/improvement/rehabilitation of slums which will ultimately benefit Economically Weaker Sections (EWS) and Low Income Groups (LIG) categories.

2. Government have amended the Revised Common Building Rules, vide Government orders 4th read above, making a provision that the developer shall provide at least 20% of developed land for Economically Weaker Sections (EWS) and Low Income Groups (LIG) housing.

3. After issue of the above orders, implementing authorities have sought clarifications on implementation of the provisions of G.O. 4th

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read above and certain organizations have also represented to the Government on the difficulties in complying with the provisions of the said orders.

4. Keeping in view the above representations, Government have deputed the team of officers belonging to Greater Hyderabad Municipal Corporation, Hyderabad Metropolitan Development Authority and Directorate of Town and Country Planning to visit other States of the country i.e Tamilnadu, Rajasthan, Chattisgarh, Gujarat and Madhya Pradesh to study the Acts, Rules and procedures being followed in those States with regard to provisions of Economically Weaker Sections (EWS) and Low Income Groups (LIG) housing in housing projects vide reference 5th read above. The study teams have visited selected cities in the above states and submitted their report vide reference 6th read above.

5. Further, the Government has constituted a committee consisting of Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad, Metropolitan Commissioner, Hyderabad Metropolitan Development Authority, Hyderabad, Director of Town & Country Planning and Special Secretary, MA&UD Department to study the above report and to come out with clear recommendations keeping in view the provisions in other States and RAY guidelines and after making necessary consultations with the representatives of Builders and Developer Associations. The Committee has submitted report vide reference 8th read above.

6. The Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad vide 9th read above has brought to the notice of the Government that after the issuance of G.O. 4th read above, there were very few proposals received from the developers in Municipal Corporation area for the plots measuring 4000sq.mts and above. There is a drastic fall in the number of proposals received which requires immediate attention as this is also resulting in loss of revenue to GHMC.

7. In the meanwhile, by adopting the amendment provisions of G.O. 4th read above, Government have issued Andhra Pradesh Building Rules, 2012 to the entire State superceding the earlier orders including the G.O.4th read above.

8. In the light of the above circumstances and after careful examination of the matter, after studying the similar provisions in other States, as per the recommendations of the Officers Committee and keeping in view the Rajiv Awas Yojana (RAY) and Jawaharlal Nehru National Urban Renewal Mission guidelines, Government have decided for taking up suitable amendments to the Andhra Pradesh Building Rules, 2012, so as to provide affordable housing stock of EWS/LIG housing, to mobilize additional financial resources for redevelopment/ improvement/ rehabilitation of slums under RAY and to facilitate all types of housing activity across the state.

9. The following notification will be published in the Andhra Pradesh Gazette.

NOTIFICATION

In exercise of the powers conferred by section 585 read with section 592 of the Greater Hyderabad Municipal Corporation Act, 1955; proviso under sub-section (1) read with sub-section (2) of sections 14, 32, 46 and 58 of the Andhra Pradesh Urban Areas (Development) Act, 1975, Section 56(1) of the Hyderabad Metropolitan Development Authority Act, 2008, Section 18 of the Andhra Pradesh Municipal Corporations Act, 1994; Section 326 of the Andhra Pradesh Municipalities Act, 1965 and Section 44 (1) of the Andhra Pradesh Town Planning Act, 1920, the Government of Andhra Pradesh hereby makes the following amendment to the Andhra Pradesh Building Rules, 2012 issued in G.O.Ms.No. 168, MA & UD (M) Dept, dt: 07.04.2012.

AMENDMENT

In the said rules for rule 11, the following shall be substituted namely;

"11. Provisions for Economically Weaker Section (EWS) / Low Income Group (LIG), Housing Category:-

- (i) In all Group Housing and Group Development Scheme Projects, whose land extent is more than 5 acres (2.023 Hectares), the Developer / Builder shall provide 10% of the total built up area towards the EWS / LIG units (5% for EWS units and 5% for LIG units) or 25% of the total number of units of the housing projects towards EWS / LIG units (12.5% for EWS units and 12.5% of LIG units). The option is given to the builder / developer to provide either 10% of the total built up area or 25% of total number of units. Maximum plinth area of each EWS Unit is 25 sq.mtr. and Maximum plinth area of each LIG Unit is 50 sq.mtr.
- (ii) In lieu of providing EWS / LIG units, 10% of City Level Infrastructure Impact Fee (under Rule 21 of A.P. Building Rules) will be exempted for the main project and total exemption to the EWS / LIG units area by the concerned local body/UDA. Other uses mentioned in the Zoning Regulations which are permissible in residential use zone will be permitted in the ground floor to the extent of equivalent area of EWS units only subject to fulfilling the parking, fire safety norms and also with separate entry and exit. The entire required fee pertaining to the use proposed shall be paid at the time of sanction of the building permission. These concessions shall apply only for those projects where EWS/LIG units are provided in-situ within the project site.
- (iii) In case of Greater Hyderabad Municipal Corporation, Hyderabad / Greater Visakhapatnam Municipal Corporation, Visakhapatnam / Vijayawada Municipal Corporation areas, 10% of the total built up area or 25% of the total number of units towards EWS/LIG units, shall be provided within the site or within the radius of 10km of the project site, or within

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5kms from the nearest aerial route boundary of the municipal limits subject to fulfillment of these Rules, with regard to minimum width of access road and other parameters.

- (iv) In case of other Urban Local Bodies, 10% of the total built up area or 25% of the total number of units towards EWS/LIG units, shall be provided within the site or within the radius of 5 km of the project site, or within 5kms from the nearest aerial route boundary of the municipal limits subject to fulfillment of these Rules, with regard to minimum width of access road and other parameters.
- (v) The developer / builder is given option for procurement of EWS / LIG Units from the Housing projects being developed by Andhra Pradesh Housing Board with all civic amenities within 5km from the nearest boundary of the Municipal limits or within the radius of 10km from the project site in case of Greater Hyderabad Municipal Corporation, Hyderabad, Greater Visakhapatnam Municipal Corporation, Visakhapatnam and Vijayawada Municipal Corporation and 5km from the project site in case of other Urban Local Bodies and to dispose the same to eligible EWS / LIG Categories.
- (vi) In case of Gram Panchayat areas falling in Urban Development Authority areas and in sanctioned Master Plans, EWS/LIG units are to be provided in-situ only.
- (vii) Two or more builders may be allowed to provide (with respect to proportionate area of the main projects) the specified number of EWS / LIG units as prescribed with all civic amenities but the occupancy for the main projects will be released only after completion of the EWS / LIG projects. Separate undertakings shall be obtained from the builders concerned by the Local Body.
- (viii) In case of Group Housing / Group Development Schemes whose land extent is more than 3000Sq.mtrs and upto 5 acres (including 5 acres), (2.023 Hectares) shelter fee shall be collected as follows:-

- a) The following shelter fee to be levied

| Area | Rate for Sq. meter |
|---|--------------------|
| Greater Hyderabad Municipal Corporation, Hyderabad | Rs.750 |
| Other Municipal Corporations | Rs.600 |
| Selection & Special Grade Municipalities | Rs.500 |
| Other Municipalities, Nagar Panchayats and other Rural Local Bodies falling in HMDA area/UDA area/master plan areas | Rs.400 |

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* In case of Hyderabad Metropolitan Development Authority, Hyderabad / Urban Development Authority areas, the shelter fee shall be as per the above categories of the Local body.

b) The shelter fee shall be collected for 20% of total site area of the project.

c) The shelter fee collected shall be utilized for development of EWS / LIG housing under JNNURM or any other Urban Housing Scheme meant for EWS categories or for undertaking civic amenities in slums and weaker section colonies only, for which a separate account shall be maintained by the local body / Urban Development Authority. The shelter fee can also be utilized for redevelopment / improvement / rehabilitation of slums under Rajiv Awas Yojana (RAY) programme as local body share.

(ix) The projects below 3000Sq.m are exempted from reservation of built up area / number of units for Economically Weaker Section / Low Income Group as well as payment of shelter fee.

(x) With regard to identification of beneficiaries and procedure for disposal of EWS/LIG units by builder/developer/public or private Agencies, separate guidelines will be issued by the Government".

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**B. SAM BOB
PRINCIPAL SECRETARY TO GOVERNMENT**

To

The Commissioner and Director, Printing, Stationery and Stores Purchase A.P. Hyderabad (in duplicate, with a request to publish the in the Extraordinary Gazette of A.P. dated: 06.2012 and furnish 1000 copies to Government)

The Commissioner,

Greater Hyderabad Municipal Corporation, Hyderabad

The Director of Town and Country Planning, A.P. Hyderabad.

The Director of Municipal Administration, A.P. Hyderabad.

The Metropolitan Commissioner,

Hyderabad Metropolitan Development Authority,
Hyderabad.

The CCLA, AP, Hyderabad.

The Commissioners of all Municipal Corporations/ Municipalities and Nagar Panchayats in the State, through Commissioner & Director of Municipal Administration, Hyderabad.

The Vice-Chairmen's of all Urban Development Authorities in the State

The Director General Fire Services, A.P Hyderabad.

The Chairman & Managing Director, AP Transco.

The Managing Director, H.M.W.S&S.B, Hyderabad.

The Engineer in Chief (Public Health) Hyderabad.

The Commissioner & Inspector General of Registration & Stamps.A.P

The Managing Director, AP Housing Board, Hyderabad.

The District Collectors of all Districts.

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The Commissioner of Panchayatraj, AP, Hyderabad.

Copy to:

The PR&RD Dept.

The PS to Secy to CM/The P.S. to M (M.A).

The P.S. to Principal Secretary to Government, MA & UD Dept.

The MA&UD (UBS) Section.

The Law (A) Department

Sf/Sc.

//FORWARDED BY ORDER//

SECTION OFFICER